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Crl.OP.No.1420 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.1420 of 2026

Abhishek Kumar Singh

... Petitioner

Vs.

State by :

The Inspector of Police,
PEW Steel Plant
Salem.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Cr.No.251 of 2025 on the file of the respondent.

For Petitioner : Mr.L.Ramanathan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
15.12.2025 for the alleged offence under Sections 8(c), 20(b)(ii)(B) of
Narcotics Drugs and Psychotropic Substances Act, 1985 in Crime No.251 of
2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that based on the secret information, the respondent police went to the scene of occurrence, they found that the petitioner was found in possession of 5.950 kgs of ganja and the same were seized, which led to the registration of an FIR. Hence the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not indulged in any such offence as alleged by the prosecution and he has also been falsely implicated in this case. He also submitted that Section 37 of the NDPS Act is not applicable to the case of the petitioner and that the petitioner has been in custody from 15.12.2025. He further submitted that the petitioner is ready to co-operate with the investigation and willing to abide by any stringent condition imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the bail petition, reiterated the prosecution case and submitted that the petitioner is a native of Bangalore. He has transported the ganja from Visakhapattinam to Tamilnadu and sold the same to the local public for his personal gain. He further submitted that the petitioner is not having any previous case, the said ganja were seized by the



respondent police and Investigation is pending. Hence, he opposed the grant of bail.

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5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations, the fact that the petitioner is having any previous case, ganja was seized, Section 37 of the NDPS Act is not applicable to the case of the petitioner and the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Special Judge of EC/NDPS Act Cases, Salem** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a



copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

23.01.2026

Vv

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The **Special Judge of EC/NDPS Act Cases, Salem**
2. The The Inspector of Police,
PEW Steel Plant
Salem.
3. The District Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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